

Appl. No. 10/790,539

Reply to Notice of Omitted Item(s) in a Nonprovisional Application

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group

Art Unit: 1734

Attorney

Docket No.: 057888028-0063

Applicant:

Scott A. Hogan

Invention:

SOUND DAMPENING ADHESIVE
PATTERNS FOR VEHICLE WHEEL
ASSEMBLIES

Serial No:

10/790,539

Filed:

March 1, 2004


Examiner:

Unknown

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on June 7, 2004


Michael S. Gzybowski

PETITION UNDER 37 CFR §1.182 TO MAINTAIN ORIGINAL FILING DATE
AND PRELIMINARY AMENDMENT TO DRAWINGS

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Omitted Item(s) in a Nonprovisional Application mailed May 20, 2004, applicant submits the following response.

In the Notice of Omitted Item(s) in a Nonprovisional Application it is indicated that Figures 5a and 5b as described in the specification were omitted from the application as originally filed.

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In option (III) of the Notice of Omitted Item(s) in a Nonprovisional Application there is a provision to maintain the original filing date of March 1, 2004 and file an appropriate Preliminary Amendment to the application.

Submitted herewith as a Preliminary Amendment is one sheet of drawings which includes new Figures 5a and 5b. This new sheet of drawings is labeled "Added New Drawing Sheet" (note CFR §1.121 does not indicate how to label added drawings).

It is submitted that new Figures 5a and 5b do not add any new matter to the application inasmuch as these figures are fully discussed in detail (i.e. every adhesive bead, line or adhesive segment) on pages 15 and 16 of applicant's originally filed specification.

It is particularly noted that Figs. 5a and 5b substantially correspond to Figs. 4a and 4b so that the description of Figs. 5a and 4a and Figs. 5b and 4b are similar. The only added features added in Figs. 5a and 5b which are not shown in Figs. 4a and 4b are the auxiliary adhesive pattern segments.

In the paragraph bridging pages 15 and 16 of applicant's originally filed specification there is a complete and concise written description of the "discrete beads or lines of adhesive 76" as having "free terminal ends that are near the lug bolt openings 75 [corresponds to reference numeral 56 in Fig. 4a] and opposed bases which connect to apexes of the loop beads or lines 72 [corresponds to reference numeral 52 in Fig. 4a]."

In the first full paragraph on page 16 of applicant's originally filed specification it is stated that "Figure 5b depicts an embodiment of the present invention which utilizes a primary adhesive pattern that is similar to that shown in Fig. 4b..."

From these complete and concise written descriptions it is submitted that the submitted new Figs. 5a and 5b do not add any new matter to the originally filed specification. Rather Figs. 5a and 5b merely accurately depict the features which are described in detail in the written description in the originally filed specification.

In response to the Notice of Omitted Item(s) in a Nonprovisional Application applicant petitions that the original filing date of March 3, 2004 be maintained and that the attached sheet of additional drawings which includes Figs. 5a and 5b be added to the application by Preliminary Amendment.

Should the Examiner, upon examining the application, feel that Figs. 5a and 5b are not supported in the originally filed specification, applicant will withdraw either or both of Figs. 5a and 5b and will further amend the specification as necessary to delete reference to these figures.


The undersigned hereby authorizes that the necessary petition fee of \$130.00 under 37 CFR §1.17(h) be charged to Deposit Account No. 12-2136.

A copy of the Notice of Omitted Item(s) in a Nonprovisional Application is included in this petition.

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If any further information concerning this petition is required, applicant's patent counsel can be contacted at the telephone number given below to discuss any information or related issues.

Respectfully submitted,



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